

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

BRYAN DAMON PATTERSON,
Plaintiff,
v.
MAURICE HOWARD, et al.,
Defendants.

No. 1:20-cv-00751-DAD-SAB (PC)

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS

(Doc. No. 10)

Plaintiff Bryan Damon Patterson is a state prisoner proceeding *pro se* and *in forma pauperis* in this civil rights action brought pursuant to 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On July 2, 2020, the assigned magistrate judge screened plaintiff's complaint and found that he stated cognizable First Amendment free exercise of religion claims against defendants Maurice Howard and John Doe. (Doc. No. 8.) The screening order found that plaintiff failed to allege any other cognizable claim against any other defendant and directed him to either file a first amended complaint or a notice of his intent to proceed only on the claims found cognizable in the screening order. (*Id.* at 5–7.) On July 14, 2020, plaintiff filed a notice of his willingness to proceed with the claims found cognizable in the screening order. (Doc. No. 9.)

Accordingly, on August 11, 2020, the magistrate judge issued the pending findings and recommendations, recommending that this action proceed on plaintiff's First Amendment free

1 exercise of religion claims against defendants Howard and John Doe, and that all other claims and
2 defendants be dismissed due to plaintiff's failure to state a cognizable claim for relief. (Doc. No.
3 10.) The findings and recommendations were served on plaintiff and contained notice that any
4 objections thereto were to be filed within fourteen (14) days after service. (*Id.* at 2.) No
5 objections have been filed, and the time in which to do so has now passed.

6 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), the undersigned has
7 conducted a *de novo* review of this case. Having carefully reviewed the entire file, the court finds
8 the findings and recommendations to be supported by the record and by proper analysis.

9 Accordingly,

- 10 1. The findings and recommendations issued on August 11, 2020 (Doc. No. 10) are
11 adopted in full;
- 12 2. This action now proceeds only on plaintiff's First Amendment free exercise of
13 religion claims against defendants Maurice Howard and John Doe;
- 14 3. All other claims and defendants are dismissed; and
- 15 4. The matter is referred back to the assigned magistrate judge for further
16 proceedings consistent with this order.

17 IT IS SO ORDERED.

18 Dated: September 17, 2020

19 
UNITED STATES DISTRICT JUDGE